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Admitted only in Maryland Admitted only in Virginia Practice Limited to **Federal Agencies** 

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August 2, 2006

**INTERNET ADDRESS:** JWEAVER@SKGF.COM

WRITER'S DIRECT NUMBER:

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Art Unit 2617

Attn: Mail Stop Amendment

Re:

U.S. Utility Patent Application

Appl. No. 10/086,367; Filed: March 4, 2002

Method and System for Frequency Up-Conversion

Inventors:

SORRELLS et al.

Our Ref:

1744.0020007

Sir:

1

Transmitted herewith for appropriate action are the following documents:

- 1. PTO Fee Transmittal Form (PTO/SB/17);
- 2. Sixth Supplemental Information Disclosure Statement;
- 3. A listing of the cited documents on Form PTO-1449 (5 pages);
- Copies of the cited documents (AM25, AJ26, AK26, and AP61-AR61); 4.
- 5. One (1) return postcard; and
- Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the 6. Information Disclosure Statement Fee.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skqf.com

Commissioner for Patents August 2, 2006 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey S. Weaver

Attorney for Applicants Registration No. 45,608

JSW:apg Enclosures

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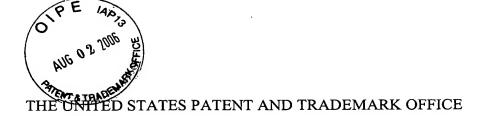
PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 06\$1-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

required to respond to a collection of information unless it displays a valid OMB control number Under the Paperwork Reduction Act 2995 no per Complete if Known Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **Application Number** 10/086,367 FEE TRANSMITTAL Filing Date March 4, 2002 For FY 2006 First Named Inventor David F. SORRELLS **Examiner Name** Bhattacharya, Sam Applicant claims small entity status. See 37 CFR 1.27 Art Unit 2617 TOTAL AMOUNT OF PAYMENT (\$) 1744.0020007 180.00 Attorney Docket No. METHOD OF PAYMENT (check all that apply) Check X Credit Card L Money Order None Other (please identify): X Deposit Account Deposit Account Number:\_ 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) X Credit any overpayments under 37 CFR 1.16 and 1.17 WARNING: information on this form may become public. Credit card information should not be included on this form. Provide credit card Information and authorization on PTO-2038. FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.) 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **FILING FEES EXAMINATION FEES** SEARCH FEES Small Entity **Small Entity Small Entity** Fees Paid (\$) **Application Type** Fee (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) 300 Utility 500 200 150 250 100 200 Design 100 100 50 130 65 Plant 200 100 300 160 80 150 Reissue 300 150 500 600 300 250 200 Provisional 100 0 **Small Entity** 2. EXCESS CLAIM FEES Fee (\$) Fee (\$) Fee Description Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 200 100 180 Multiple dependent claims 360 **Multiple Dependent Claims Total Claims** Extra Claims Fee Paid (\$) Fee (\$) Fee Paid (\$) - 20 or HP = Fee (\$) HP = highest number of total claims paid for, if greater than 20. Fee Paid (\$) Indep. Claims **Extra Claims** Fee (\$) - 3 or HP = HP = highest number of independent claims paid for, if greater than 3. **APPLICATION SIZE FEE** If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets **Extra Sheets** Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) / 50 = (round up to a whole number) x 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Information Disclosure Statement 180.00

SUBMITTED BY					
Signature	Ju. A. W	Registration No. (Attorney/Agent)	45,608	Telephone	(202) 371-2600
Name (Print/Type	Jeffrey S. Weaver			Date	August 2, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



In re application of:

SORRELLS et al.

Appl. No.: 10/086,367 Filed: March 4, 2002

For: Method and System for Frequency

**Up-Conversion** 

Confirmation No.: 3679

Art Unit: 2617

Examiner: Bhattacharya, Sam

Atty. Docket: 1744.0020007

## Sixth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed on April 17, 2006 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings 08/03/2006 SDENBOB1 00000098 10086367 purportedly offered.

01 FC:1806 180.09 OP

Applicants provide the following comments regarding the documents:

Documents AM25, AJ26, and AK26 were cited in an Office Action in related Japanese Patent Application No. 2002-048676, filed October 18, 1999, entitled "Integrated Frequency Translation and Selectivity with a Variety of Filter Embodiments," directed to related subject matter. Also cited in said Office Action was Japanese Patent Publication No. 60-130203, which has already been cited in the present application.

Documents AH73, AI73, AI74, AA75, AB75, and AA77-AE77 are co-owned patents which are directed to related subject matter.

Documents AA74 and AB74 were cited in an Office Action in related U.S. Patent Application No. 10/197,255, filed July 18, 2002, entitled "Networking Methods and Systems," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 5,703,584; 5,887,001; 6,298,065; and 6,850,742; and U.S. Patent Publication Nos. 2002/0080728 and 2002/0163921, which have already been cited in the present application.

Documents AC74-AG74 were cited in an Office Action in related U.S. Patent Application No. 11/068,370, filed March 1, 2005, entitled "Method and System for Frequency Up-Conversion with a Variety of Transmitter Configurations," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 5,903,854 and 5,914,622, which have already been cited in the present application.

Document AH74 was cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-converter Using Universal Frequency Translation Technology," directed to related subject matter. Also cited in said

Office Action was Deboo, Gordon J., *Integrated Circuits and Semiconductor Devices*, 2nd Edition, McGraw Hill, Inc., pp. 41-45 (1977), which has already been cited in the present application.

Document AC75 was cited in an Office Action in related U.S. Patent Application No. 10/197,253, filed July 18, 2002, entitled "Networking Methods and Systems," directed to related subject matter.

Document AD75 was cited in an Office Action in related U.S. Patent Application No. 09/550,644, filed April 14, 2000, entitled "Method and System for Down-Converting an Electromagnetic Signal, Transforms for Same, and Aperture Relationships," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,404,758, which has already been cited in the present application.

Documents AE75-AH75 were cited in an Office Action in related U.S. Patent Application No. 11/107,861, filed April 18, 2005, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Documents AI75 and AA76-AD76 were cited in an Office Action in related U.S. Patent Application No. 11/230,732, filed September 21, 2005, entitled "Applications of Universal Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 6,208,636 and 7,016,663, which have already been cited in the present application.

Documents AE76-AI76 were cited in a Notice of Allowance in related U.S. Patent Application No. 10/961,253, filed October 12, 2004, entitled "Apparatus, System, and Method for Down Converting and Up Converting Electromagnetic Signals," directed to

related subject matter. Also cited in said Notice of Allowance was U.S. Patent No. 6,404,823, which has already been cited in the present application.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below:

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.
   Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
  - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance.
  1138 OG 37, 38.

Document AM25 (JP 61-232706) appears to describe a frequency converter for signals. An English language abstract of document AM25 is enclosed as document AP61.

Document AJ26 (JP 9-171399) appears to describe a sound synthesizing method and circuit. An English language abstract of document AJ26 is enclosed as document AQ61.

Document AK26 (JP 10-41860) appears to describe an echo canceller. An English language abstract of document AK26 is enclosed as document AR61.

- 7. Copies of documents AM25, AJ26, AK26, and AP61-AR61 are enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and patent publications cited on the attached Form PTO-1449 are not enclosed.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No.\_\_\_\_\_\_\_, filed \_\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ∑ 9. It is expected that the examiner will review the prosecution and cited art in the parent application nos. 09/379,497, filed August 23, 1999 (now U.S. Pat. No. 6,353,735), and 09/176,154, filed October 21, 1998 (now U.S. Pat. No. 6,091,940), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution histories has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey S. Weaver Attorney for Applicants Registration No. 45,608

Date:

8-2-06

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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**FORM PTO-1449** 

## SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

	Page 1 of 5
ATTY. DOCKET NO.	APPLICATION NO.
1744.0020007	10/086,367
FIRST NAMED INVENTOR	·
David F. SORRELLS	
FILING DATE	ART UNIT

March 4, 2002 2617 **U.S. PATENT DOCUMENTS** EXAMINER DOC. FILING DATE SUB-CLASS DOCUMENT NUMBER DATE NAME CLASS INITIAL REF. AA AB AC AD ΑE AF AG 04/2006 Smith et al. 7,027,786 B1 AH73 05/2006 Sorrells et al. A173 7,039,372 B1 **FOREIGN PATENT DOCUMENTS EXAMINER** DOC. CLASS SUB-CLASS TRANSLATION COUNTRY DATE DOCUMENT NUMBER INITIAL REF. Yes ΑJ No Yes AK No Yes AL No No JP 10/1986 AM25 JP 61-232706 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) **EXAMINER** CITATION INITIAL REF. AN61 AO61 English-language Abstract of Japanese Patent Publication No. JP 61-232706, data supplied by the espacenet, AP61 1 page (October 17, 1986 - Date of publication of application). English-language Abstract of Japanese Patent Publication No. JP 9-171399, data supplied by the espacenet, AQ61 1 page (June 30, 1997 - Date of publication of application). English-language Abstract of Japanese Patent Publication No. JP 10-41860, data supplied by the espacenet, AR61 1 page (February 13, 1998 - Date of publication of application). DATE CONSIDERED **EXAMINER** 

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

SIXTH SUPPLEMENTAL

Page 2 of 5 APPLICATION NO. 10/086,367 ATTY. DOCKET NO. 1744.0020007

FIRST NAMED INVENTOR David F. SORRELLS

INFOF	RMATION	DISCLOSURE STATEM	<u>IENT</u>	FILING DATE	ART	UNIT			
				March 4, 2002	2617				
	1000	T	U.S. PAT	ENT DOCUMENTS			1		
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE		
	AA74	6,591,310 B1	07/2003	Johnson					
	AB74	6,963,626 B1	11/2005	Shaeffer et al.					
	AC74	4,811,422	03/1989	Kahn					
-	AD74	5,825,257	10/1998	Klymyshyn et al.					
	AE74	5,986,600	11/1999	McEwan					
	AF74	6,865,399 B2	03/2005	Fujioka <i>et al.</i>					
	AG74	2006/0039449 A1	02/2006	Fontana et al.					
÷	AH74	5,847,594	12/1998	Mizuno					
	AI74	7,050,058 B2	05/2006	Sorrells et al.					
-	1		FOREIGN P	ATENT DOCUMENTS			·		
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION		
	AJ26	JP 9-171399	06/1997	JP			No		
	AK26	JP 10-41860	02/1998	JP			No		
	AL						Yes No		
	AM						Yes No		
		OTHER DOCUMENT	S (Including	Author, Title, Date, Pe	rtinent Pages.	etc.)			
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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**FORM PTO-1449** 

Page 3 of 5 ATTY. DOCKET NO. 1744.0020007 FIRST NAMED INVENTOR APPLICATION NO. 10/086,367

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INFORMATION DISCLOSURE STATEMENT			FILING DATE ART UNIT March 4, 2002 2617				
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EXAMINER NITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA75	7,054,296 B1	05/2006	Sorrells et al.			
	AB75	7,065,162 B1	06/2006	Sorrells et al.			
	AC75	2003/0149579 A1	08/2003	Begemann et al.			
	AD75	5,063,387	11/1991	Mower			
	AE75	5,535,402	07/1996	Leibowitz et al.			
•	AF75	6,512,785 B1	01/2003	Zhou et al.			
	AG75	6,567,483 B1	05/2003	Dent et al.			
-	AH75	6,775,684 B1	08/2004	Toyoyama et al.			
	AI75	4,740,792	04/1988	Sagey et al.			
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	Page 4 of 5
ATTY. DOCKET NO.	APPLICATION NO.
1744.0020007	10/086,367
FIRST NAMED INVENTOR	
David F SORRELLS	

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INITIAL	REF.	DOCUMENT NUMBER			OLAGO	005-02-00	7721110 27112
	AA76	5,239,687	08/1993	Chen			
	AB76	5,552,789	09/1996	Schuermann		_	
	AC76	5,905,433	05/1999	Wortham		_	
	AD76	6,647,270 B1	11/2003	Himmelstein			
-	AE76	6,034,566	03/2000	Ohe			
	AF76	6,313,700 B1	11/2001	Nishijima et al.			
	AG76	6,959,178 B2	10/2005	Macedo et al.			
•	AH76	6,999,747 B2	02/2006	Su			
	AI76	2004/0125879 A1	07/2004	Jaussi et al.			
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	AM						Yes
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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NITIAL	REF.	7,072,390 B1	07/2006	Sorrells et al.			
	AB77	7,072,427 B2	07/2006	Rawlins et al.			· ·
	AC77	7,076,011 B2	07/2006	Cook et al.			
	AD77	7,082,171 B1	07/2006	Johnson et al.			
	AE77	7,085,335 B2	08/2006	Rawlins et al.			
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	AK						No Yes
	AL						No Yes
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